

REFERENCE TITLE: legislative employment leave

State of Arizona  
Senate  
Forty-ninth Legislature  
First Regular Session  
2009

# **SB 1218**

Introduced by  
Senator Garcia

AN ACT

AMENDING TITLE 23, CHAPTER 9, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 2;  
RELATING TO LEGISLATIVE EMPLOYMENT LEAVE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2       Section 1. Title 23, chapter 9, Arizona Revised Statutes, is amended  
3 by adding article 2, to read:

4                     ARTICLE 2. LEGISLATIVE SERVICE

5                     23-1521. Absence from employment for legislative service;  
6                     vacation and seniority rights; violation;  
7                     classification

8                     A. AN EMPLOYER SHALL NOT REFUSE TO PERMIT A MEMBER OF THE ARIZONA  
9 LEGISLATURE FROM TAKING A LEAVE OF ABSENCE FROM EMPLOYMENT FOR THE PURPOSE OF  
10 FULFILLING THE LEGISLATOR'S OBLIGATION AS AN ELECTED OFFICIAL. THE LEAVE OF  
11 ABSENCE SHALL NOT AFFECT VACATION RIGHTS THAT AN EMPLOYEE OTHERWISE HAS,  
12 EXCEPT THAT AN EMPLOYER NEED NOT CONSIDER THE PERIOD OF ABSENCE AS A PERIOD  
13 OF WORK PERFORMED FOR THE EMPLOYER IN DETERMINING ELIGIBILITY FOR VACATION  
14 AND THE AMOUNT OF VACATION PAY TO WHICH THE EMPLOYEE IS ENTITLED.

15                     B. A MEMBER OF THE ARIZONA LEGISLATURE SHALL NOT LOSE SENIORITY OR  
16 PRECEDENCE WHILE FULFILLING THE LEGISLATOR'S OBLIGATION AS AN ELECTED  
17 OFFICIAL. ON RETURN TO EMPLOYMENT THE EMPLOYER SHALL RETURN THE EMPLOYEE TO  
18 THE EMPLOYEE'S PREVIOUS POSITION OR TO A HIGHER POSITION COMMENSURATE WITH  
19 THE EMPLOYEE'S ABILITY AND EXPERIENCE AS SENIORITY OR PRECEDENCE WOULD  
20 ORDINARILY ENTITLE THE EMPLOYEE.

21                     C. AN EMPLOYER VIOLATING THIS SECTION IS GUILTY OF A CLASS 3  
22 MISDEMEANOR.